O.8-29-01   CPA/16528

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing

CHECK BOX, *if applicable*

☐ DUPLICATE

(Only for Continuation or Divisional applications under 37 CFR1.53(d))

AUG 2 7 2001

Attorney Docket No. of Prior Application	019957012910
First Named Inventor	Gilbert, Michel
Examiner Name	Tung, Peter
Group Art Unit	1652
Express Mail Label No.	EL104796273US

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

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This is a request for a   ☒ continuation or   ☐ divisional application under 37 CFR1.53(d),

(continued prosecution application (CPA)) of prior application number <u>09/211,691</u>

filed on <u>December 14, 1998</u>, entitled <u>FUSION PROTEINS FOR USE IN ENZYMATIC SYNTHESIS OF OLIGOSACCHARIDES</u>

NOTES

FILING QUALIFICATIONS: *The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).*

C-I-P NOT PERMITTED: *A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).*

EXPRESS ABANDONMENT OF PRIOR APPLICATION: *The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.*

ACCESS TO PRIOR APPLICATION: *The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.*

35 U.S.C. 120 STATEMENT: *In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).*

    WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application

2. ☐ A preliminary amendment is enclosed.

3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).

     a. ☐ *DELETE* the following inventor(s) named in the prior nonprovisional application:

         _____
         _____

     b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.

5. ☐ Information Disclosure Statement (IDS) is enclosed: 08/30/2001 SDENBOB1 00000115 201430   09211691

     a. ☐ PTO-1449   01 FC:131   710.00 CH
     b. ☐ Copies of IDS Citations   02 FC:103   270.00 CH

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PTO/SB/29 (10-00)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	35-20* =	15	x $18=	$270
	INDEPENDENT CLAIMS 37 CFR 1.16(b) or (i)	3-3** =	0	x $80=	$0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR1.16(d))			x =	
				BASIC FEE (37 CFR 1.16)	$710
			Total of above Calculations =		$980.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent. ** Reissue Independent claims over original patent.			TOTAL =	$980.00

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 20-1430 :

    a. ☐ Fees required under 37 CFR 1.16.

    b. ☒ Fees required under 37 CFR 1.17.

    c. ☐ Fees required under 37 CFR 1.18.

8. ☐ A check in the amount of $ _____ is enclosed.

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(I) enclosed.

11. ☐ New Attorney Docket Number, if desired _____

    [Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]

12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)

    b. ☐ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

13. ☐ Other: _____

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label	Customer No. 20350 (Insert Customer No. or Attach bar code label here)	or ☐ New correspondence address below

Name	
Address	

City		State		Zip Code	
Country		Telephone		Fax	

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	Kevin L. Bastian
Signature	
Registration No. (Attorney/Agent)	34,774
Date	August 27, 2001

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